

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Darnell Alonzo Gordon

Case No.

Case: 2:23-mj-30008

Assigned To : Unassigned

Assign. Date : 1/11/2023

Description: COMP USA V.
GORDON (KB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 10, 2023 in the county of St. Clair in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
8 U.S.C. 1324(a)(1)(A)(ii)	Transporting Illegal Aliens
8 U.S.C. 1324(a)(1)(A)(iii)	Harboring Illegal Aliens

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: January 11, 2023City and state: Detroit, MI
Complainant's signatureMegan E. Zeigler, Border Patrol Agent - Intelligence
Printed name and title
Judge's signatureJonathan J.C. Grey, U.S. Magistrate Judge
Printed name and title

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AFFIDAVIT

I, Megan E. Zeigler, declare the following under penalty of perjury:

1. I am a Border Patrol Agent (Intelligence) (BPA-I) with the United States Border Patrol (USBP) under the Bureau of Customs and Border Protection, which is a component agency of the Department of Homeland Security and have been employed by the USBP since January 2007. I have been a BPA-I since January 2014 and assigned to the Detroit Sector Intelligence Unit (DTM SIU) since February 2015. I have participated with multiple taskforces throughout my career, and been involved in a variety of investigations, from human smuggling, drug trafficking, bulk cash smuggling and weapons trafficking, to terrorism and terroristic threats. As part of my daily duties as a BPA-I, I investigate criminal violations relating to human smuggling including violations pertaining to alien smuggling, in violation of 8 U.S.C. § 1324. I am currently assigned as the Acting Supervisory Border Patrol Agent (Intelligence) (ASBPA-I) for the Marysville, MI Sector Intelligence Detachment, part of the DTM SIU. DTM SIU is tasked with collecting intelligence and conducting investigations regarding illicit cross-border activity within the Detroit, Michigan vicinity, and as an ASBPA-I, I am responsible for directing the collection and investigations.

2. The information outlined herein is provided for the limited purpose of establishing probable cause of violations of 8 U.S.C § 1324(a)(1)(A)(ii) (alien transporting) and 8 U.S.C § 1324(a)(1)(A)(iii) (harboring of aliens) and does not state all relevant facts pertaining to this investigation.

3. Darnell Alonzo GORDON is a citizen and national of the United States. The government has developed probable cause that on January 10, 2023, GORDON unlawfully harbored and transported Alfredo Henriques RIBEIRO Ferreira (RIBEIRO), a native and citizen of Brazil, in furtherance of his unlawful entry into the United States.

4. The Saint Clair River is a 40.5-mile-long river linking Lake Huron and Lake Saint Clair and serves as the international boundary between part of Ontario, Canada and the United States. Algonac, Michigan is a small city situated at the southern end of the St. Clair River and has been the site of multiple alien smuggling events in 2022. This area has regularly been used as a travel route by alien smugglers, because it is a short trip via watercraft from Canada to the U.S.

5. On January 9, 2023, at approximately 9:50 a.m., Agent Ebenhack, working in a plain clothes capacity, observed a dark gray Chevrolet Equinox bearing Michigan license plate DPJ6715 driving southbound on St. Clair River Drive in Algonac, Michigan. This vehicle is linked to Darnell Alonzo GORDON (GORDON), who was previously identified as potentially being involved in alien smuggling in the area. In June 2022, GORDON was encountered in Algonac, MI with a Peruvian national who was admittedly trying to cross illegally into Canada to be with his family. Agent Ebenhack observed a subject matching GORDON's description in the driver's seat of the Equinox and a female subject in the front passenger seat. Agent Ebenhack, Agent Rentzel, and Agent Coronado maintained surveillance of the Equinox as the driver continued southbound. Agents observed the driver after he parked the Equinox in the driveway of 1516 St. Clair River Drive, Algonac, MI. Agent Rentzel observed the male driver who was wearing a tan Carhart vest and was believed to be GORDON, walking towards the residence. The vehicle was unoccupied at this time. No other subjects were observed walking away from the vehicle, and no other houses were close enough for the female subject to

enter without having been seen by an agent. Agents maintained continual surveillance of the residence.

6. At approximately 11:10 a.m., via RVSS, Agent Lycos observed the same male subject exit the recessed area of the west-facing door of the residence. Both Agent Lycos and Agent Coronado observed the male enter the Equinox and depart the driveway. Agents maintained surveillance of the Equinox as the driver headed to the area of westbound I-94 and 12 Mile Road. No other persons were observed in the vehicle with the driver. MRV agents maintained continual visual surveillance of the residence.

7. On January 9, 2023, at approximately 11:30 p.m., Agent Merle observed the same dark-colored Chevrolet Equinox, which appeared to be driven by the same subject previously seen and believed to be GORDON, arrive at the residence. The driver was wearing the same Carhart vest as earlier. The driver exited the vehicle, and a passenger exited the vehicle from the front passenger seat. Both subjects entered the house. At approximately, 11:50 p.m., the male driver exited the residence alone, got in the Equinox and left the area. No other passengers were observed in the vehicle. Agents maintained surveillance of the residence.

8. On January 10, 2023, at approximately 6:20 a.m., Agent Curley, via the Mobile Video Surveillance System (MVSS), observed a vessel with three occupants traveling northbound in the Saint Clair River in Canadian waters. Agent Curley observed the vessel turn and cross the into U.S. waters and continue towards the U.S. shoreline in Algonac, MI. Agent Curley observed the vessel approach the seawall just south of the residence. Agent Soles was observing the south side of the house and heard the boat approach and then depart the seawall. After the boat departed, Agent Soles observed movement in the house through the bay window, observed the sliding door open, and saw lights turn on in the house. Due to the lack of light between the house, the yard, and the river, agents were unable to confirm if individuals got on or off the vessel before it departed. However, based on where the agents were positioned while conducting surveillance, they would have observed if any subjects had walked anywhere besides into the residence or onto the vessel. Additionally, Agent Curley via the MVSS, did not observe any subjects outside of the area of the residence, and would have observed them if they had walked south or west from the house. RVSS operators observed the vessel enter the Chematogen Canal at approximately 6:30 a.m.

9. On January 10, 2023, at approximately 8:45 a.m., Agent Ebenhack observed a dark colored Kia sedan arrive at the residence from the north. The male driver parked the Kia close to the house, exited the vehicle, and entered the house. Approximately five minutes later, Agent Ebenhack observed the same male driver exit the house and enter the vehicle, a second subject exited the house after the driver, and entered the front passenger seat of the Kia. The driver put the vehicle in reverse and began to exit the driveway.

10. Agent Ebenhack and Agent Rentzel activated the emergency lights in their vehicles and pulled in the driveway behind the vehicle. Agent Rentzel approached the driver, identified himself as a United States Border Patrol Agent and questioned the driver regarding his citizenship. The driver, later identified as Darnell GORDON (GORDON), stated he was a United States citizen and stated he was just picking up the passenger for a friend. Agent Ebenhack approached the passenger, identified himself as a United States Border Patrol Agent and questioned the passenger regarding his citizenship. The passenger, later identified as Alfredo Henriques RIBEIRO Ferreira (RIBEIRO), spoke in Spanish and in some English and stated he was a citizen and national of Brazil without the proper immigration

documentation to enter, work, reside, or remain in the United States legally. RIBEIRO stated his passport was in his bag. Agent Vincent located a Brazilian passport without any United States entry stamps or a United States visa.

11. GORDON was placed under arrest for a violation of 8 U.S.C § 1324 and RIBEIRO was arrested for a violation of 8 U.S.C. § 1325. Both GORDON and RIBEIRO were transported to the Marysville Border Patrol Station for processing and interview.

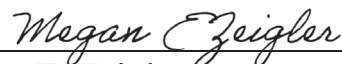
12. At the station, at approximately 12:59 p.m., GORDON was advised of his *Miranda* Rights and stated he understood his rights and agreed to answer questions without the presence of an attorney. GORDON admitted he knew RIBEIRO had illegally entered the United States from Canada on a boat this morning. GORDON stated he had picked up other illegal aliens on five different occasions since January 2022 and had also dropped off people to be smuggled into Canada. GORDON said that he gets paid anywhere between \$50 and \$400, and it varies each time. GORDON dropped off a male at the residence the night of January 9, 2023, and he and a female subject were smuggled outbound to Canada on the boat that brought RIBERIO to the U.S.

13. RIBEIRO was advised of his Miranda Rights in the Portuguese language by Agent Coronado and witnessed by Agent Miller, using LIS Solutions translation services, interpreter #3242. RIBEIRO stated he understood his rights and agreed to answer questions without the presence of an attorney. RIBEIRO admitted he illegally entered the United States via boat this morning and stayed in the house for a couple of hours. He stated there was no one else in the house. RIBEIRO intended to travel to Massachusetts, reside with his wife and adult daughter, and remain in the United States indefinitely.

14. Based on the aforementioned facts, there is probable cause to believe that Darnell Alonzo GORDON, knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, transported, moved or attempted to transport or move such an alien within the United States by means of transportation or otherwise, in furtherance of such violation of law, and, knowing or in reckless disregard of the fact that an alien has entered or remains in the United States in violation of law, concealed, harbored, or shielded from detection, or attempted to conceal, harbor, shield from detection, such alien in

any place, including any building or any means of transportation, all in violation of 8 U.S.C § 1324(a)(1)(A)(ii) and 8 U.S.C § 1324(a)(1)(A)(iii).

Respectfully submitted,

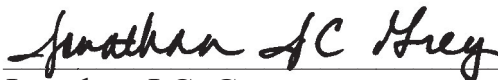


Megan E. Zeigler

Acting Supervisory Border Patrol Agent
(Intelligence)

United States Border Patrol

Subscribed and sworn to before me in my presence and/or by reliable electronic means on January 11, 2023:



Jonathan J.C. Grey

UNITED STATES MAGISTRATE JUDGE

